

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**McCOMB CHILDREN'S
CLINIC, LTD.**

PLAINTIFF

v.

CAUSE NO. 5:24CV48-LG-ASH

**DR. DOROTHY A. FINK, in her
official capacity as Acting Secretary
of the United States Department of
Health and Human Services, et al.**

DEFENDANTS

ORDER SUBSTITUTING PARTIES

This matter is before the Court sua sponte pursuant to Fed. R. Civ. P. 25(d). Xavier Becerra is not a proper party to this lawsuit because he no longer serves as Secretary of the United States Department of Health and Human Services. In addition, Melanie Fontes Rainer is not a proper party to this lawsuit because she no longer serves as Director of the Office for Civil Rights of the United States Department of Health and Human Services. When a public officer who is sued in his official capacity ceases to hold office while a lawsuit is pending, the officer's successor is automatically substituted as a party. Fed. R. Civ. P. 25(d). Therefore, Dr. Dorothy A. Fink, who currently serves as Acting Secretary of the United States Department of Health and Human Services, is hereby substituted for Xavier Becerra as a defendant to this lawsuit. And, Anthony Archeval, who currently serves as Acting Director of the Office for Civil Rights of the United States Department of Health and Human Services, is hereby substituted for Melanie Fontes Rainer as a defendant to this lawsuit.

IT IS THEREFORE ORDERED AND ADJUDGED that Dr. Dorothy A. Fink in her official capacity as Acting Secretary of the United States Department of Health and Human Services is **SUBSTITUTED** for Xavier Becerra.

IT IS FURTHER ORDERED AND ADJUDGED that Anthony Archeval in his official capacity as Acting Director of the Office for Civil Rights of the United States Department of Health and Human Services is **SUBSTITUTED** for Melanie Fontes Rainer.

SO ORDERED AND ADJUDGED this the 12th day of February, 2025.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE